

SIKKIM

GOVERNMENT GAZETTE



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GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK

No. 114/Home/2009

Dated: 31/08/2009

NOTIFICATION

In exercise of the powers conferred by sub-section (3), sub-section (5) and sub-section (7) of section 6 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), the State Government hereby constitutes the State Level Monitoring Committee, the District Level Committee and the Sub-Division Level Committee to implement the provisions of the Act in the State of Sikkim as under:

State Level Monitoring Committee

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| 1. Chief Secretary | - Chairperson |
| 2. Secretary-incharge, Land Revenue & Disaster Management Department | - Member |
| 3. Secretary-incharge, Social Justice, Empowerment & Welfare Department | - Member |
| 4. Secretary-incharge, Forest Environment & Wildlife management Department | - Member |
| 5. Secretary-incharge, Rural Management & Development Department | - Member |
| 6. Principal Chief Conservator of Forest | - Member |
| 7. Three Scheduled Tribes member to be nominated by the State Government | - Member |
| 8. Commissioner, Tribal Welfare or equivalent/Project Director | - Member Secretary. |

Functions of the State Level Monitoring Committee:-

The State Level Monitoring Committee shall,

- (a) devise criteria and indicators for monitoring the process of recognition and vesting of forest rights;
- (b) monitor the process of recognition, verification and vesting of forest rights in the State;
- (c) furnish a six monthly report on the process of recognition, verification and vesting of forest rights and submit to the nodal agency such returns and reports as may be called for by the nodal agency;
- (d) on receipt of a notice as mentioned in section 8 of the Act, take appropriate actions against the concerned authorities under the Act;
- (e) monitor resettlement under sub-section (2) of section 4 of the Act.

District Level Committee.

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| 1. | District Collector | - | Chairperson |
| 2. | Divisional Forest Officer (T) | - | Member |
| 3. | Three members of the district panchayat to be nominated by the district panchayat of whom two shall be Scheduled Tribe members preferable those who are forest dwellers, and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member | - | Member |
| 4. | Welfare Officer of the concerned District | - | Member |

Functions of District Level Committee:-

The District Level Committee shall,

- (a) ensure that the requisite information under clause (b) of rule 6 has been provided to gram Sabha or Forest Rights Committee;
- (b) examine whether all claims, especially those of primitive tribal groups, pastoralists and nomadic tribes, have been addressed keeping in mind the objectives of the Act;
- (c) consider and finally approve the claims and record of forest rights prepared by the Sub-Divisional Level Committee;
- (d) hear petitions from persons aggrieved by the orders of the Sub-Divisional Level Committee;
- (e) co-ordinate with other districts regarding inter-district claims;
- (f) issue directions for incorporation of the forest rights in the relevant Government records including record of rights;
- (g) ensure publication of the record of forest rights as may be finalized; and
- (h) ensure that a certified copy of the record of forest rights and title under the Act, as specified in Annexures II & III to the rules, is provided to the concerned claimant and the Gram Sabha respectively.

Sub-Divisional Level Committee

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| 1. | Sub-Divisional Officer | - | Chairperson |
| 2. | Forest Officer in charge of a Sub-division or equivalent officer | - | Member |
| 3. | Three members of the Block level Panchayats to be nominated by the District Panchayat of whom at least | - | Member |

two shall be the Scheduled Tribes preferably those who are forest dwellers, and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member

4. Welfare Inspector of the concerned District - Member

Functions of the Sub-Divisional Level Committee:-

The Sub-Divisional Level Committee (SLDC) shall,

- (a) provide information to each Gram Sabha about their duties and duties of holder of forest rights and others towards protection of wildlife, forest and biodiversity with reference to critical flora and fauna which need to be conserved and protected;
- (b) provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee;
- (c) collate all the resolutions of the concerned Gram Sabhas;
- (d) consolidate maps and details provided by the Gram Sabhas;
- (e) examine the resolutions and the maps of the Gram Sabhas to ascertain the veracity of the claims;
- (f) hear and adjudicate disputes between Gram Sabhas on the nature and extent of any forest rights;
- (g) hear petitions from persons, including State agencies, aggrieved by the resolutions of the Gram Sabhas;
- (h) co-ordinate with other Sub-Divisional Level Committees for inter sub-divisional claims;
- (i) prepare block wise draft record of proposed forest rights after reconciliation of government records;
- (j) forward the claims with the draft record of proposed forest rights through the Sub-Divisional Officer to the District Level Committee for final decision;
- (k) raise awareness among forest dwellers about the objectives and procedures laid down under the Act and in the rules;
- (l) ensure easy and free availability of proforma of claims to the claimants as provided in Annexure -I (Forms A & B) of the rules;
- (m) ensure that the Gram Sabha meetings are conducted in free, open and fair manner with requisite quorum.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

**T. T. DORJI, IAS
CHIEF SECRETARY
F. No. 122/PO/SJE&WD/07**

